

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD FRANK FIDGE,
Plaintiff,

v.

LAKE COUNTY SHERIFF'S DEPARTMENT, ET
AL.,
Defendants.

Case No. 13-cv-05182-YGR

**ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF'S REQUEST FOR PRE-FILING
SUMMARY JUDGMENT CONFERENCE;
DENYING MOTION TO CONTINUE PRE-
FILING CONFERENCE AS MOOT**

Re: Dkt. Nos. 102, 104

Now before the Court are two requests submitted by Plaintiff Ronald Frank Fidge: plaintiff's Request for Pre-filing Summary Judgment Conference (Dkt. No. 102); and plaintiff's Motion to Continue Pre-filing Conference (Dkt. No. 104). Having considered plaintiff's submissions in support of his requests, the Court **DENIES** without prejudice plaintiff's request for a pre-filing summary judgment conference, and **DENIES AS MOOT** plaintiff's request to extend the pre-filing summary judgment conference.

Plaintiff filed the instant request for a summary judgment conference despite the fact that he is not required to file such a request as a *pro se* litigant. (See Standing Order regarding Pre-filing Conference Requirements for motions for summary judgment.) Accordingly, plaintiff was not required to file this request, nor is he required to participate in a pre-filing conference; he could simply file a motion for summary judgment as set forth in Federal Rule of Civil Procedure 56 and the relevant local civil rules of this District. (See N.D. Cal. L. Civ. R. 7, *et seq.*) In the same filing, however, plaintiff represents that he will soon have an attorney appearing on his behalf. (Dkt. No. 102 at 1.) Given that fact, plaintiff's pending request for a conference is **DENIED WITHOUT PREJUDICE**. When plaintiff's attorney appears, he or she may file on plaintiff's behalf a request for a pre-filing summary judgment conference.

1 Accordingly, plaintiff's motion for a continuance of the pre-filing conference he originally
2 requested is **DENIED AS MOOT.**

3 This terminates Docket Nos. 102, 104.

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5 **IT IS SO ORDERED.**

6 Dated: October 31, 2014

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8 **YVONNE GONZALEZ ROGERS**
9 **UNITED STATES DISTRICT COURT**
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Northern District of California